



# California Regional Water Quality Control Board

## San Diego Region



**Terry Tamminen**  
Secretary for  
Environmental  
Protection

9174 Sky Park Court, Suite 100, San Diego, California 92123-4540  
(858) 467-2952 • Fax (858) 571-6972  
<http://www.swrcb.ca.gov/rwqcb9>

SAN DIEGO REGIONAL  
WATER QUALITY  
CONTROL BOARD

**Arnold Schwarzenegger**  
Governor

2004 MAR 29 P 1:47

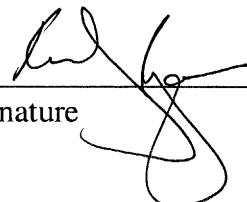
### WAIVER OF RIGHT TO A HEARING

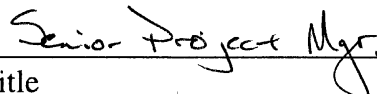
Mr. Kevin Ryan  
Senior Project Manager, Remediation  
Kinder Morgan Energy Partners, LP  
370 Van Gordon Street  
Lakewood, Colorado 80228-1579

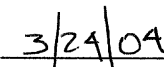
Administrative Civil Liability  
with Mandatory Minimum Penalties  
Complaint No. R9-2004-0080  
**\$3,000**  
March 11, 2004

Mission Valley Terminal  
WDID No. 9 000000506

By signing below, I agree to waive the Kinder Morgan Energy Partners, LP's right to a hearing before the California Regional Water Quality Control Board, San Diego Region with regards to the violations alleged in the above referenced Complaint and to remit payment for the civil liability imposed. I understand that I am authorized to give up the Kinder Morgan Energy Partners, LP's right to be heard, and to argue against the allegations made by the Executive Officer in this Complaint, and against the imposition of, or the amount of, civil liability proposed. I have enclosed a check or money order made payable to the State Water Resources Control Board for the civil liability imposed.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Date

**Send this signed form to:**

John H. Robertus, Executive Officer  
C/O Compliance Assurance Unit  
California Regional Water Quality Control Board – San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

S:\Compliance Assurance\Enforcement Orders\MMPs\Kinder Morgan\Public Hearing Waiver.doc



SAN DIEGO REGIONAL  
WATER QUALITY  
CONTROL BOARD

2004 MAR 29 P 1:47

**SFPP, L.P.**

Operating Partnership

March 24, 2004

John H. Robertus, Executive Officer  
c/o Compliance Assurance Unit  
CRWQCB, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Subject: Complaint No. R9-2004-0080  
Order No. R9-2001-0096, NPDES No. CAG919002

Dear Mr. Robertus:

SFPP, L.P., an operating partner of Kinder Morgan Energy Partners, L.P. (Kinder Morgan), is submitting a waiver of right to hearing for the above referenced complaint and a check for \$3,000.00 for the Mission Valley Terminal.

The complaint refers to an exceedence of selenium between October 15 – December 31, 2001 in the treated groundwater discharged from the Kinder Morgan facility. The reported selenium concentration was 11 ug/l, which is above the discharge limit of 5 ug/l. Please note that this is the only selenium concentration exceedence at this facility since discharge began under Order No. R9-2001-0096, NPDES No. CAG919002.

Please contact me at 303-914-7813 if you have any questions or require additional information.

Sincerely,

Kevin J. Ryan  
Senior Project Manager, Remediation

Enclosure

Cc: Karrie Field, KMEP  
Katherine Wagner, Downey Brand  
Scott Martin, LFR

Kinder Morgan SFPP, L.P.

No. 621855

Check Date: 03/24/2004  
(100034514)

STATE WATER RESOURCES CONTROL, BOARD, ACCOUNTING OFFICE, SACRAMENTO CA 95812-0100

Description	Date	PO Number	Gross Amount	Discount Amount	Net Amount Paid
WDID9000000506 31104	03/11/04		\$3,000.00	\$0.00	\$3,000.00
				2004 MAR 29 P 1:47	SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
Totals			\$3,000.00	\$0.00	\$3,000.00

Detach at Perforation Before Depositing Check  
100034514



Kinder Morgan SFPP, L.P.  
1100 Town & Country  
Orange, CA 92868

First Union National Bank  
Charlotte, NC 28288-1008  
66-156/531

Check No. 621855

Check Date  
03/24/2004

PAY *Three Thousand AND 00/100*

Check Amount  
\$ \*\*\*\*\*3,000.00

TO THE  
ORDER  
OF

100034514

STATE WATER RESOURCES CONTROL  
BOARD  
ACCOUNTING OFFICE  
SACRAMENTO CA 95812-0100

*C. Paul S.*

⑈00621855⑈ ⑆053101561⑆ 2079920014781⑈